

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**BOARD OF PATENT APPEALS AND INTERFERENCES**

In re patent application of:  
Fan, et al.

Atty. Docket No.: YOR920030457US1

Serial No.: 10/737,123

Group Art Unit: 2167

Filed: December 16, 2003

Examiner: Le, Miranda

For: SYSTEM AND METHOD FOR ADAPTIVE PRUNING

---

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF**

Sirs:

In response to the Notice of Non-Compliant Appeal Brief dated May 29, 2008, a Corrected Appeal Brief was filed in the U.S. Patent Office on June 9, 2008. A second Notice of Non-Compliant Appeal Brief was mailed on August 20, 2008. During a phone conversation on August 21, 2008, Examiner Miranda Le spoke with Donald J. Lecher of Gibb & Rahman, LLC stating that the Notice of Non-Compliant Appeal Brief was sent in error and should be disregarded, and that no response is due at this time.

Respectfully submitted,

Date: August 28, 2008

/Frederick W. Gibb, III/  
Frederick W. Gibb, III, Esq.  
Registration No. 37,629

Gibb & Rahman, LLC  
2568-A Riva Road, Suite 304  
Annapolis, MD, 21401  
Voice: (410) 573-1545  
Fax: (301) 261-8825  
Customer No. 29154